

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

RAYMOND DAKIM HARRIS JOINER,)
)
)
Plaintiff,)
)
)
v.) **1:13CV448**
)
)
JONATHAN FRIEL, et al.,)
)
)
Defendants.)

ORDER

On July 12, 2013, the Magistrate Judge issued an Order and Recommendation ordering that Plaintiff's Application to Proceed In Forma Pauperis [Doc. # 1] be granted for the sole purpose of entering the Order and Recommendation, ordering that Plaintiff's trust officer be directed to pay to the Clerk of this Court 20% of all deposits to his account starting with the month of August, and thereafter each time that the amount in the account exceeds \$10.00 until the \$400.00 filing fee has been paid, and recommending that this action be dismissed pursuant to 28 U.S.C. § 1915A for being frivolous or malicious or for failing to state a claim upon which relief may be granted, as well as for seeking monetary relief against a defendant who is immune from such relief. [Doc. # 4].

The Magistrate Judge's Order and Recommendation was served on Plaintiff on that

same date. Plaintiff filed Objections to the Magistrate Judge's Recommendation within the time limits prescribed by 28 U.S.C. § 636. [Doc. # 6].

The Court has appropriately reviewed the portions of the Magistrate Judge's Recommendation to which objection is made and has made a *de novo* determination in accord with the Magistrate Judge's report. The Court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action is dismissed pursuant to 28 U.S.C. § 1915A for being frivolous or malicious or for failing to state a claim upon which relief may be granted, as well as for seeking monetary relief against a defendant who is immune from such relief. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 11th day of April, 2016.

/s/ N. Carlton Tilley, Jr.
Senior United States District Judge